

Senate Study Bill 1032 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON RIELLY)

A BILL FOR

1 An Act relating to intermediate driver's licenses and special
2 minor's licenses, making a penalty applicable, and including
3 effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.180B, subsections 2 and 3, Code 2011,
2 are amended to read as follows:

3 2. *Intermediate license.*

4 a. The department may issue an intermediate driver's license
5 to a person sixteen or seventeen years of age who possesses an
6 instruction permit issued under subsection 1 or a comparable
7 instruction permit issued by another state for a minimum of
8 ~~six~~ twelve months immediately preceding application, and
9 who presents an affidavit signed by a parent, guardian, or
10 custodian on a form to be provided by the department that the
11 permittee has accumulated a total of twenty hours of street
12 or highway driving of which two hours were conducted after
13 sunset and before sunrise and the street or highway driving was
14 with the permittee's parent, guardian, custodian, instructor,
15 a person certified by the department, or a person at least
16 twenty-five years of age who had written permission from a
17 parent, guardian, or custodian to accompany the permittee, and
18 whose driving privileges have not been suspended, revoked,
19 or barred under this chapter or chapter 321J during, and
20 who has been accident and violation free continuously for,
21 the ~~six-month~~ twelve-month period immediately preceding
22 the application for an intermediate license. An applicant
23 for an intermediate license must meet the requirements of
24 section 321.186, including satisfactory completion of driver
25 education as required in section 321.178, and payment of the
26 required license fee before an intermediate license will be
27 issued. A Unless accompanied in accordance with subsection 1,
28 a person issued an intermediate license must limit the number
29 of unrelated minor passengers in the motor vehicle when the
30 intermediate licensee is operating the motor vehicle to the
31 number of passenger safety belts one. For purposes of this
32 subsection, "unrelated minor passenger" means a passenger who is
33 under twenty-one years of age and who is not a sibling of the
34 driver, a stepsibling of the driver, or a child who resides in
35 the same household as the driver.

1 *b.* Except as otherwise provided, a person issued an
2 intermediate license under this subsection who is operating a
3 motor vehicle between the hours of ~~12:30 a.m.~~ 10:00 p.m. and
4 5:00 a.m. must be accompanied by a person issued a driver's
5 license valid for the vehicle operated who is the parent,
6 guardian, or custodian of the ~~permittee~~ intermediate licensee,
7 a member of the ~~permittee's~~ intermediate licensee's immediate
8 family if the family member is at least twenty-one years of
9 age, an approved driver education instructor, a prospective
10 driver education instructor who is enrolled in a practitioner
11 preparation program with a safety education program approved by
12 the state board of education, or a person at least twenty-five
13 years of age if written permission is granted by the parent,
14 guardian, or custodian, and who is actually occupying a seat
15 beside the driver. However, a licensee may operate a vehicle
16 to and from school-related extracurricular activities and work
17 without an accompanying driver between the hours of ~~12:30~~
18 ~~a.m.~~ 10:00 p.m. and 5:00 a.m. if ~~such~~ the licensee possesses
19 a waiver on a form to be provided by the department. An
20 accompanying driver is not required between the hours of 5:00
21 a.m. and ~~12:30 a.m.~~ 10:00 p.m.

22 3. *Remedial driver improvement action — suspension of*
23 *permit, intermediate license, or full license.* A person who has
24 been issued an instruction permit, an intermediate license, or
25 a full driver's license under this section, upon conviction of
26 a moving traffic violation or involvement in a motor vehicle
27 accident which occurred during the term of the instruction
28 permit or intermediate license, shall be subject to remedial
29 driver improvement action or suspension of the permit or
30 current license. A person possessing an instruction permit who
31 has been convicted of a moving traffic violation or has been
32 involved in an accident shall not be issued an intermediate
33 license until the person has completed the remedial driver
34 improvement action and has been accident and violation free
35 continuously for the ~~six-month~~ twelve-month period immediately

1 preceding the application for the intermediate license. A
2 person possessing an intermediate license who has been
3 convicted of a moving traffic violation or has been involved in
4 an accident shall not be issued a full driver's license until
5 the person has completed the remedial driver improvement action
6 and has been accident and violation free continuously for the
7 twelve-month period immediately preceding the application for a
8 full driver's license.

9 Sec. 2. Section 321.194, subsection 1, Code 2011, is amended
10 by adding the following new paragraph:

11 NEW PARAGRAPH. *Ob.* Unless accompanied in accordance with
12 section 321.180B, subsection 1, a person issued a driver's
13 license pursuant to this section must limit the number of
14 unrelated minor passengers in the motor vehicle when the
15 licensee is operating the motor vehicle to one. For purposes
16 of this section, "*unrelated minor passenger*" means a passenger
17 who is under twenty-one years of age and who is not a sibling of
18 the driver, a stepsibling of the driver, or a child who resides
19 in the same household as the driver.

20 Sec. 3. EFFECTIVE DATE. This Act takes effect January 1,
21 2012.

22 EXPLANATION

23 This bill amends provisions relating to intermediate
24 driver's licenses under the graduated driver licensing program
25 and to special minor's licenses issued for travel to and from
26 school.

27 Under the graduated driver licensing program, a person who
28 is 16 or 17 years of age must possess an instruction permit
29 for a minimum of six months and be accident and violation
30 free continuously during that six-month period to qualify for
31 an intermediate license. The bill increases the required
32 period of possession of an instruction permit to 12 months
33 and requires the person to be accident and violation free
34 continuously during that 12-month period. The bill requires
35 that a person with an intermediate license who is operating a

1 motor vehicle between the hours of 10:00 p.m. and 5:00 a.m.
2 be accompanied by a person licensed to drive the vehicle
3 operated who is the parent, guardian, or custodian of the
4 intermediate licensee, a family member who is at least 21
5 years of age, an approved driver education instructor, a
6 prospective driver education instructor who is enrolled in
7 a qualifying practitioner preparation program, or a person
8 at least 25 years of age with the written permission of the
9 parent, guardian, or custodian of the intermediate licensee and
10 who is occupying a seat beside the driver. If the intermediate
11 licensee is operating a motorcycle, the accompanying person
12 must be on or in a different motor vehicle and be within
13 audible and visual communication distance from the intermediate
14 licensee. Existing law requires an intermediate licensee to be
15 accompanied when driving between the hours of 12:30 a.m. and
16 5:00 a.m.

17 Under current law, an intermediate licensee may transport
18 as many passengers as there are seatbelts in the vehicle, but
19 there is no passenger restriction specified for a driver with
20 a special minor's license. The bill imposes new passenger
21 restrictions for licensees in both categories. Unless
22 accompanied by a licensed driver as described above, a person
23 with an intermediate license or a special minor's license may
24 not operate a motor vehicle with more than one unrelated minor
25 passenger in the vehicle. The bill defines "unrelated minor
26 passenger" as a passenger under 21 years of age who is not a
27 sibling or stepsibling of the driver or a child who resides in
28 the same household as the driver.

29 A violation of intermediate driver's license restrictions or
30 special minor's license restrictions is a simple misdemeanor
31 punishable by a scheduled fine of \$50.

32 The bill takes effect January 1, 2012.